

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

<b>KING RECORDS, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>Case No. 3:00-0299</b>
	)	<b>Judge Nixon</b>
<b>v.</b>	)	<b>Magistrate Judge Griffin</b>
	)	
	)	
<b>KENNETH R. BENNETT d/b/a</b>	)	
<b>KRB MUSIC COMPANIES and</b>	)	
<b>KRB MUSIC COMPANIES, INC.,</b>	)	
	)	
<b>Defendants.</b>	)	
	)	<b><u>ORDER</u></b>

Plaintiff King Records, Inc. filed a three-count Complaint against Defendants Kenneth Bennett, d/b/a KRB Music Companies and KRB Music Companies, Inc. Count I alleges the copyright infringement of a musical composition. Count II alleges copyright infringement of twenty-one sound recordings. Count III alleges the unlawful duplication of noncopyrightable sound recordings protected under the common law.

Subsequent to a bench trial, the Court finds that Defendants have **INFRINGED** Plaintiff's copyrights in the musical composition and twenty-one sound recordings in Count I and II. Defendants are **JOINTLY** and **SEVERALLY LIABLE** for the infringement.

**JUDGMENT IS ENTERED** in **FAVOR OF PLAINTIFF**, and the Court **AWARDS** Plaintiff \$10,000 for each copyrighted work infringed for a total of **\$170,000**. The Court **DENIES** Plaintiff's request for attorney fees and both parties are to bear their own costs. The merits are addressed in the contemporaneously filed Memorandum.

In addition to the ultimate issue, pending before the Court are several evidentiary motions, as well as Plaintiff's motion to dismiss Count III without prejudice. The Court **DENIES** as **MOOT** the parties' motions in limine (Doc. Nos. 147, 148, 149, 150, 151, 180, 182,

186); **DENIES** the parties' post-trial motions to strike (Doc. Nos. 207, 208, 217); **DENIES** Plaintiff's motion for sanctions (Doc. No. 216); and **GRANTS** Plaintiff's motion to dismiss Count III of its Amended Complaint **WITHOUT PREJUDICE** (Doc. No. 206). Any remaining pending motions not discussed therein are **DENIED**. The merits of these pending motions are addressed in the contemporaneously filed Memorandum.

It is SO ORDERED.

Entered this the 20<sup>th</sup> day of June, 2006.



JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT